

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: LEAHY et al.)	Examiner: Cao (Kevin) NGUYEN
)	
Serial No.: 09/632,154)	Group Art Unit: 2173
)	
Filed: August 3, 2000)	
)	
For: SCALABLE VIRTUAL)	
WORLD CHAT)	
CLIENT-SERVER SYSTEM)	

**PETITION TO MAKE SPECIAL UNDER 37 C.F.R. 1.102
ACTUAL INFRINGEMENT**

RECEIVED

MAR 24 2003

Assistant Commissioner for Patents
Washington, D.C. 20231

Technology Center 2100

Dear Sir:

This petition is made under 37 C.F.R. 1.102 to advance the examination of the above-referenced application due to an actual infringement. MPEP 708.02.

The present application was filed on August 3, 2000 and is a continuation of U.S. Serial No. 08/747,420, which was filed on November 12, 1996 and issued as U.S. Patent No. 6,219,045 (the "Parent Application"). The Parent Application claims the benefit of Provisional Application Serial No. 60/020,296, which was filed on November 13, 1995.

Applicant hereby alleges:

(A) That there is an infringing device or product actually on the market or method in use;

(B) That a rigid comparison of the alleged infringing device, product, or method with the claims of the application has been made, and that, in his or her opinion, some of the claims are unquestionably infringed;

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(C) That he or she has made or caused to be made a careful and thorough search of the prior art or has a good knowledge of the pertinent prior art. In particular, Applicant relies on (1) the searches performed in the Parent Application, which include the searches performed by examiner C. Nguyen (who is believed to be the same examiner as in the instant case) in connection with the issuance of the Office Actions in the Parent Application dated November 29, 1999 and November 17, 1997 and (b) the search undertaken in connection with the PCT application corresponding to the Parent Application.

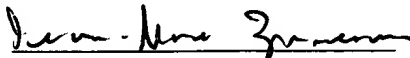
Applicant has provided one copy of each of the references deemed most closely related to the subject matter encompassed by the claims with the Information Disclosure Statement filed previously in this case.

Applicant respectfully requests that this petition to make special be granted and the examination of this Application be advanced in order to expedite the issuance of a patent.

In accordance with 37 C.F.R. 1.102(d), this petition is accompanied by an authorization to charge a credit card for the petition fee in the amount of \$130.

Dated: March 7, 2003

Respectfully submitted,


Jean-Marc Zimmerman
Registration No. 36,978
Zimmerman & Levi, LLP
226 St. Paul Street
Westfield, NJ 07090
(908) 654-8000



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TRANSMITTAL LETTER

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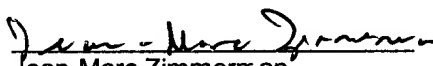
Technology Center 2100

Dear Sir:

Please find enclosed herewith the following papers for filing:

1. Petition to Make Special Under 37 CFR 1.102;
2. Credit Card Authorization Form; and
3. Return receipt postcard.

Respectfully Submitted,


Jean-Marc Zimmerman
Registration No. 36,978
Zimmerman & Levi, LLP
226 St. Paul Street
Westfield, NJ 07090
(908) 654-8000

Enclosures